

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



AUTUMN N. PAKRAVAN,

Plaintiff,

v.

ACTION NO. 2:12cv472

CAROLYN W. COLVIN,
ACTING COMMISSIONER,
SOCIAL SECURITY ADMINISTRATION,

Defendant.

REMAND ORDER


Plaintiff brought this action under 42 U.S.C. §§ 405 (g) and 1383(c)(3), seeking judicial review of the final decision of the Acting Commissioner of the Social Security Administration ("Acting Commissioner"), which denied Plaintiff's claim for disability insurance benefits ("DIB") under Title II of the Social Security Act, as well as Plaintiff's claim for Supplemental Security Income ("SSI"), under Title XVI of the Social Security Act.

On July 11, 2013, this matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. §§ 636(b)(1)(B) and (C), and Rule 72(b) of the Federal Rules of Civil Procedure for report and recommendation. Report of the magistrate judge was filed on September 25, 2013, recommending that Plaintiff's Motion for Summary Judgment be granted to the extent it seeks reversal and remand of the Acting Commissioner's decision; that Defendant's

Motion for Summary Judgment be denied; and the final decision of the Acting Commissioner be vacated and the case be remanded for further proceedings. By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the magistrate judge. The court has received no objections to the magistrate judge's report and recommendation, and the time for filing same has expired.

The court does hereby adopt and approve the findings and recommendations set forth in the report of the United States Magistrate Judge filed September 25, 2013. Accordingly, Plaintiff's Motion for Summary Judgment is **GRANTED** to the extent that it seeks reversal and remand of the Acting Commissioner's decision; Defendant's Motion for Summary Judgment is **DENIED**; and the final decision of the Acting Commissioner is **VACATED** and the matter is hereby **REMANDED** to the Acting Commissioner for further proceedings consistent with the Magistrate's Report and Recommendation filed September 25, 2013.

The Clerk shall forward a copy of this Remand Order to counsel for Plaintiff and Defendant.

/s/
Rebecca Beach Smith
Chief
United States District Judge 

REBECCA BEACH SMITH
CHIEF UNITED STATES DISTRICT JUDGE

October 18, 2013